

SK

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/025,265	KRISHNAMURTHY ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	John Pezzlo	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--  
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE filed 10 July 2006.
2. ☒ The allowed claim(s) is/are 1, 3, 4, 6-27, 29, 31-38, 40, 41, and 43-48 (renumbered 1-42 respectively).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>7/10/2006, 9/22/06</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material   | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|  | 9. <input type="checkbox"/> Other _____.   |



**JOHN PEZZLO  
PRIMARY EXAMINER**

## **DETAILED ACTION**

### ***Examiner's Amendment***

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Lester J. Vincent on 8 February 2007.

The claims have been amended as follows:

1. Regarding claim 36 – Line 1, inserted between "A" and "storage" -- computer readable --.
2. Regarding claim 36 – Line 1, inserted after "storage" -- volatile or non-volatile --.
3. Regarding claim 36 – Line 2, deleted "machine" and inserted -- computer --.
4. Regarding claim 37 – Line 1, inserted between "A" and "storage" -- computer readable --.
5. Regarding claim 37 – Line 1, inserted after "storage" -- volatile or non-volatile --.
6. Regarding claim 37 – Line 2, deleted "machine" and inserted -- computer --.
7. Regarding claim 38 – Line 1, inserted between "A" and "storage" -- computer readable --.

Art Unit: 2616

8. Regarding claim 38 – Line 1, inserted after "storage" -- volatile or non-volatile --.
9. Regarding claim 40 – Line 1, inserted between "A" and "storage" -- computer readable --.
10. Regarding claim 40 – Line 1, inserted after "storage" -- volatile or non-volatile --.

***Allowable Subject Matter***

Claims 1, 3, 4, 6-27, 29, 31-38, 40, 41, and 43-48 are allowable over the prior art of record.

***Conclusion***

Claims 1, 3, 4, 6-27, 29, 31-38, 40, 41, and 43-48 being allowable, **Prosecution On The Merits Is Closed** in this application.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. Chaudhuri et al. (US 2002/0018269 A1) discloses control of optical connections in an optical network.

Art Unit: 2616

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Pezzlo whose telephone number is (571) 272-3090. The examiner can normally be reached on Monday to Friday from 8:30 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin, can be reached on (571) 272-3134. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C.

or faxed to:

(571) 273-8300

For informal or draft communications, please label "PROPOSED" or "DRAFT"

Hand delivered responses should be brought to:

Jefferson Building


2A15

500 Dulany Street

Alexandria, VA, 22313.

John Pezzlo

12 February 2007

  
**JOHN PEZZLO**  
**PRIMARY EXAMINER**